

FILED**United States District Court**

OCT 09 2012

WESTERN

DISTRICT OF OKLAHOMA

GILBERT RAY POSTELLE,
Petitioner,

ROBERT D. DENNIS, CLERK

U.S. DIST. COURT, WESTERN DIST. OF OKLA.
DEPUTY**APPLICATION TO PROCEED IN
FORMA PAUPERIS, SUPPORTING
DOCUMENTATION AND ORDER**

v.

ANITA TRAMMELL, Interim Warden,
Oklahoma State Penitentiary,
Respondent.

CASE NUMBER:

CIV-12-1110 FI, Gilbert Ray Postelle, declare that I am the (check appropriate box)☒ petitioner/plaintiff☐ movant (filing 28 U.S.C. 2255 motion)☐ respondent/defendant☐ _____
other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

File a Petition for Writ of Habeas Corpus pursuant to
Title 28 U.S.C., Section 2254.

In further support of this application, I answer the following questions.

1. Are you presently employed? Yes ☐ No ☒

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

never

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment

Yes ☐ No ☒

b. Rent payments, interest or dividends?

Yes ☐ No ☒

c. Pensions, annuities or life insurance payments?

Yes ☐ No ☒

d. Gifts or inheritances?

Yes ☐ No ☒

e. Any other sources?

Yes ☒ No ☐

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

family sends small amount of money when they can. Not very often.

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes ☐ No ☒ (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes ☐ No ☒

If the answer is "yes," describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

none

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/5/12
(Date)

Gilbert Postle
Signature of Applicant

CERTIFICATE

(Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ 126.54 on account to his credit at the Oklahoma State Penitentiary institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution:

I further certify that during the last six months the applicant's average balance was \$ 66.98

[Signature]
Authorized Officer of Institution

ORDER OF COURT

The application is hereby denied

United States Judge

Date

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

United States Judge
or Magistrate

Date

Date\Time: 10/3/2012 10:49:34 AM

ODOC

Institution: OSP

Offender Statement Report

Offender#	Offender/Group Name	Institution	Unit	Cell/Bed
0585999	POSTELLE, GILBERT	OSP	UNIT H SW	QUAD 4 SW4T-CELL E

Transaction List

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
04/03/2012	BEGINNING BALANCE					\$2.15
04/03/2012	OUTSIDE SOURCE	1115486	37835	BLICK ART MATERIALS	\$3.84	\$5.99
04/03/2012	OUTSIDE SOURCE	19260288494	37836	POSTELLE, PATSY	\$150.00	\$155.99
04/05/2012	SALES	95			(\$31.12)	\$124.87
04/11/2012	LEGAL COPAY	4-4-12			(\$1.00)	\$123.87
04/12/2012	SALES	62			(\$41.36)	\$82.51
04/19/2012	SALES	10			(\$81.05)	\$1.46
05/03/2012	SALES	12			(\$1.22)	\$0.24
05/07/2012	OUTSIDE SOURCE	19773465131	39044	POSTELLE, PATSY	\$200.00	\$200.24
05/07/2012	SALES	35			(\$23.98)	\$176.26
05/10/2012	SALES	14			(\$9.00)	\$167.26
05/10/2012	SALES	85			(\$70.58)	\$96.68
05/15/2012	SALES	11			(\$7.91)	\$88.77
05/17/2012	SALES	44			(\$34.60)	\$54.17
05/24/2012	SALES	49			(\$40.63)	\$13.54
05/31/2012	SALES	56			(\$7.40)	\$6.14
06/07/2012	SALES	24			(\$5.84)	\$0.30
06/08/2012	OUTSIDE SOURCE	20063955587	40264	POSTELLE, PATSY	\$170.00	\$170.30
06/14/2012	SALES	10			(\$61.70)	\$108.60
06/21/2012	SALES	60			(\$59.26)	\$49.34
06/27/2012	SALES	88			(\$9.28)	\$40.06
06/28/2012	OUTSIDE SOURCE	20063958063	40975	WILDER, NORMA	\$50.00	\$90.06
07/02/2012	SALES	27			(\$31.64)	\$58.42
07/05/2012	SALES	89			(\$56.70)	\$1.72
07/12/2012	SALES	40			(\$1.47)	\$0.25
07/13/2012	OUTSIDE SOURCE	20063967851	41557	POSTELLE, PATSY	\$50.00	\$50.25
07/13/2012	SALES	7			\$1.47	\$51.72
07/16/2012	OUTSIDE SOURCE	20063961268	41620	POSTELLE, PATSY	\$150.00	\$201.72
07/25/2012	SALES	27			(\$9.00)	\$192.72
07/25/2012	SALES	83			(\$16.01)	\$176.71
08/01/2012	SALES	24			(\$9.00)	\$167.71
08/01/2012	SALES	66			(\$13.82)	\$153.89
08/02/2012	SALES	3			(\$106.69)	\$47.20
08/07/2012	OUTSIDE SOURCE	20063966141	42350	POSTELLE, PATSY	\$150.00	\$197.20
08/08/2012	SALES	17			(\$9.00)	\$188.20
08/08/2012	SALES	43			(\$17.00)	\$171.20
08/15/2012	SALES	4			(\$72.44)	\$98.76
08/15/2012	SALES	41			(\$92.62)	\$6.14
08/22/2012	SALES	65			(\$2.44)	\$3.70
08/29/2012	SALES	58			(\$3.43)	\$0.27
09/03/2012	JPAY	0000000020806761		POSTELLE, PATSY	\$150.00	\$150.27
09/05/2012	SALES	81			(\$66.20)	\$84.07
09/11/2012	SALES	13			(\$2.44)	\$81.63
09/12/2012	SALES	46			(\$71.60)	\$10.03
09/26/2012	SALES	35			(\$8.73)	\$1.30

Date\Time: 10/3/2012 10:49:34 AM

ODOC

Institution: OSP

Offender Statement Report

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
10/03/2012	JPAY	0000000021347093		POSTELLE, PATSY	\$200.00	\$201.30
10/03/2012	SALES	23			(\$74.76)	\$126.54

Summary Balances

Available Balance	Savings Balance	Debt Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
\$126.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$126.54

Date\Time: 10/3/2012 10:49:34 AM

ODOC

Institution: OSP

Offender Statement Report

Start Date:	4/3/2012	End Date:	10/3/2012
Offender/Group#:	0585999	Offender/Group Name:	POSTELLE, GILBERT R
Unit:	All		